IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5034 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE JAYANT PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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JAIRAMBHAI JIVABHAI – Petitioner(s)

Versus

STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :

M/S THAKKAR ASSOC. for Petitioner(s) : 1,
RULE SERVED BY DS for Respondent(s) : 1,
MR PRADEEP PATEL for Respondent(s) : 2,

MR SATYAM CHHAYA, AG FOR STATE

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CORAM : HONOURABLE MR.JUSTICE JAYANT PATEL

Date : 19/03/2007

ORAL JUDGMENT

1. When the matter is taken up for final hearing, Mrs.Pahwa, learned Counsel appearing for the petitioner, states that the petitioner is ready to remove the construction, which is in contravention to the Ribbon Development Rules and she further states before this Court that the landlord of the petitioner is desirous to move appropriate application to the concerned authority for non-agricultural use permission and regularisation of the construction, but both after the removal of the construction in contravention to the Ribbon Development Rules, because as per her instructions, the other constructions adjoining on the same line are regularised.

2. Mr.Chhaya, learned AGP as well as Mr.Joshi with Mr.Pradeep Patel, learned Counsel for respondent No.2, state that if such an application is made, the same will be considered in accordance with law.

3. In view of the above, the petition shall stand disposed of as withdrawn. Rule discharged. The interim relief shall be continued for a period

of one month, so as to enable the petitioner to comply with the statement, for demolition of construction in contravention to Ribbon Development Rules.

19.3.2007 **(Jayant Patel, J.)**

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